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Letter dated 20 July 2012 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council

I have the honour to forward herewith a letter from His Excellency Sheikh Sabah Al-Khaled Al Hamad Al Sabah, Deputy Prime Minister, Minister for Foreign Affairs of the State of Kuwait, addressed to you (see annex).

I would highly appreciate if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Abdulaziz **Aljarallah**
Chargé d'affaires a.i.

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Annex to the letter dated 20 July 2012 from the Chargé d'affaires a.i. of the Permanent Mission of Kuwait to the United Nations addressed to the President of the Security Council

[Original: Arabic]

I should like to draw your attention to the latest developments in the matter of Iraq's outstanding obligations pursuant to the Security Council resolutions adopted under Chapter VII of the Charter relevant to the item on the situation between Iraq and Kuwait. The most significant of those obligations, which are set out in the report of the Secretary-General pursuant to paragraph 5 of resolution 1859 (2008) (S/2009/385), dated 27 July 2009, concern maintenance of the border markers, compensation owed to Iraqi farmers, residual compensations owed by Iraq to Kuwait and the question of Kuwait prisoners, missing persons and property.

In that connection, I should like to make reference to the thirty-third report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999) (S/2012/443), dated 14 June 2012, concerning the question of the prisoners and Kuwaiti property, as well as Security Council press statement SC/10680, dated 20 June 2012, in which the Council called on both the Kuwaiti and Iraqi sides to explore other arrangements to ensure continued cooperation in the search for missing persons, property and the Kuwaiti archives.

Despite the significance and the sensitive nature of the question of the missing persons, a humanitarian issue that the Council has been following for many years, and despite the great efforts that have been made since 2004 by the Tripartite Commission and the Technical Subcommittee, which operates under the auspices of the International Committee of the Red Cross, the remains of only 236 Kuwaiti prisoners out of 605 missing Kuwaiti and third-country nationals have thus far been identified.

While we appreciate the cooperation demonstrated by the Government of Iraq and its efforts to resolve this question, we believe that it would be possible to make significant progress if efforts were redoubled and agreed-upon plans were implemented in the framework of the Technical Subcommittee.

With regard to progress made in the matter of Kuwaiti property and the national archive, Iraq has returned some Kuwaiti property belonging to certain Kuwaiti Government authorities and, in December 2011, established a ministerial committee to follow up on this matter. However, this committee has not presented any reports on its work. The fate of the Kuwaiti national archive, which includes important documents pertaining to the Amiri Diwan, the Diwan of the Crown Prince and the Diwan of the Prime Minister, remains unknown.

Kuwait appreciates the great efforts made by the High-level Coordinator, Ambassador Gennady Tarasov, to fulfil his mandate under paragraph 14 of Security Council resolution 1284 (1999) and wishes him all success in the responsibilities that he will take on.

Kuwait therefore hopes that the Security Council will appoint another High-level Coordinator or a Special Representative of the Secretary-General to replace Ambassador Tarasov, in order to continue following up implementation of the obligations set out in Security Council resolutions 686 (1991), 687 (1991) and 1284 (1999). It would be appropriate if such a High-level Coordinator or Special

Representative were to follow up on all of Iraq's outstanding international obligations.

In conclusion, we would like to express our satisfaction at the noticeable progress that has been made in bilateral relations between Kuwait and Iraq at various levels, as evidenced by the exchange of visits at the highest levels and the significant agreements reached by the two States at the most recent meeting of the Joint Ministerial Committee in April 2012.

We would also like to commend the sincere efforts and desire of Iraq to fulfil its international obligations towards Kuwait. We would furthermore like to reiterate that our country stands ready to provide Iraq with the support it needs, with a view to hastening the fulfilment of the outstanding obligations pursuant to the relevant Security Council resolutions.

(*Signed*) Sheikh Sabah Al-Khaled Al Hamad **Al Sabah**
Deputy Prime Minister
Minister for Foreign Affairs
State Minister for Council of Ministers Affairs